



UNITED STATES MARINE CORPS
MARINE AIR GROUND TASK FORCE TRAINING COMMAND
MARINE CORPS AIR GROUND COMBAT CENTER
BOX 788100
TWENTYNINE PALMS, CALIFORNIA 92278-8100

CCO 1625.1
17
24 Feb 04

COMBAT CENTER ORDER 1625.1

From: Commanding General
To: Distribution List

Subj: PROCEDURE TO SUSPEND AND REVOKE BASE DRIVING PRIVILEGES FOR THE
WRONGFUL USE OF A CONTROLLED SUBSTANCE

Ref: (a) 32 C.F.R. section 634
(b) SECNAVINST 5300.28c
(c) Uniform Code of Military Justice (UCMJ)

Encl: (1) Report of Drug Abuse In the Case of (Name, Rank, SSN)
(2) Notice of Suspension of Combat Center Driving Privileges for the
Wrongful Use of a Controlled Substance
(3) First Endorsement on Notice of Suspension of Combat Center Driving
Privileges for the Wrongful Use of a Controlled Substance

1. Situation. To establish policy and procedures for the suspension and revocation of driving privileges aboard the Marine Corps Air Ground Combat Center (MCAGCC), Twentynine Palms, California, for drug abuse. This Order applies to active duty military personnel, civilian employees, military dependents, and any other person authorized to drive aboard MCAGCC.

2. Mission

a. Operation of a motor vehicle by individuals shown to have engaged in drug abuse, poses a threat to the safety of the community aboard MCAGCC.

b. In accordance with references (a) and (b), the privilege to operate a motor vehicles aboard MCAGCC is a privilege conditionally granted to all qualified military/civilian personnel stationed or employed aboard MCAGCC. However, such privilege may be suspended when there is a reasonable basis to conclude that an authorized driver has wrongfully engaged in drug abuse. A military service member or civilian whose driving privileges have been suspended is forbidden to operate a motor vehicle aboard MCAGCC.

c. The term "motor vehicle" includes any automobile, motorcycle, bus, truck, and any other vehicle, which is selfpropelled.

d. The term "suspended" when used in reference to driving privileges aboard MCAGCC means that the individual's privilege to drive a motor vehicle aboard the installation is withdrawn.

e. The term "authorized driver" refers to an active-duty service member of the U.S. Army, U.S. Navy, U.S. Air Force, U.S. Marine Corps, or U.S. Coast Guard. The term "authorized driver" also refers to civilian employees working aboard MCAGCC, military dependents, contractors, and any other person authorized to drive aboard MCAGCC.

f. The term "drug abuse" means any illegal, wrongful, or improper use, possession, sale, transfer, distribution, or introduction on a military installation of any controlled substance, marijuana, steroids, or other dangerous of illicit drug or other forms of substance abuse (such as designer drugs, fungi, chemicals not intended for human consumption, etc.) as defined in reference (c), and/or the possession, sale, or transfer of drug paraphernalia as defined in reference (c).

g. The term "credible evidence" refers to information or evidence of drug activity, which includes but is not limited to the following:

(1) A message from any Navy or Department of Defense Drug Screening Laboratory indicating a positive result on a urinalysis.

(2) Information contained in official documentation, such as law enforcement reports, or other reports obtaining the information as part of their regular course of business or standard operating procedures.

(3) Personal admissions of culpability not obtained through duress or coercion.

(4) Reliable, factually substantiated eyewitness reports involving use, possession, distribution, or introduction. This subparagraph provides commanders with a pragmatic tool to respond to all drug activity in a uniform manner, irrespective of the existence of military or civilian convictions.

h. The term "use of a controlled substance" means to inject, ingest, inhale, or otherwise introduce into the human body any substance prohibited by Article 112(a), of reference (d).

i. This Order is applicable to all authorized drivers who drive aboard MCAGCC. It is a general regulation and is intended to be punitive in nature. Violation of any provision of this Order provides a basis for criminal prosecution and/or other disciplinary action under the UCMJ.

3. Execution

a. Suspension of Driving Privileges

(1) All active-duty service members or other authorized drivers, who, based on credible information, are determined to have engaged in drug abuse, will be issued a "Notice of Suspension of Driving Privileges. The suspension of driving privileges will not become effective until the Commanding General, MCAGCC, or his designee, notifies the affected individual and offers that person an administrative hearing. Suspension of driving privileges will automatically take place after this written notice is received, unless an application for a hearing is made by the affected individual within three working days. Such application will stay the pending suspension until such hearing takes place.

(2) At such administrative hearing, if it is determined by a preponderance of the evidence that the individual engaged in drug abuse, that person's driving privileges will be suspended.

(3) If it is determined, as the result of an administrative hearing, to suspend the affected individual's driving privilege, the suspension will become effective when the person receives the written notification of such action.

(4) The individual whose driving privileges have been suspended, will have the right to appeal, request reconsideration, or request restricted driving privileges. Such requests must be in writing, forwarded through the chain of command and Staff Judge Advocate to the Commanding General, MCAGCC, within five working days from the date the individual is notified of the suspension. The Chief of Staff is designated as the deciding official on all requests/appeals. In the absence of unusual circumstances, an appeal not submitted within five working days will be denied as not having been submitted within a reasonable time. The suspension will remain in effect pending a final ruling on the request. A subsequent administrative or judicial determination that contradicts the previous decision to suspend driving privileges, may form a basis for a request for reinstatement of driving privileges.

b. Restricted Driving Privileges. In extraordinary cases, the Commanding General may authorize exceptions to the suspension provision of this Order based on mission requirements or unusual hardship. Requests for restricted driving privileges shall be submitted in writing to the Commanding General via the chain of command and Staff Judge Advocate. Requests shall contain a detailed statement of the extraordinary circumstances justifying special consideration. Commanding officers are requested to include an assessment of the impact on military mission that the suspension or revocation has, or is likely to have. Maximum reliance shall be placed on car pools, public transportation, and off-base parking before a limited exception shall be granted. Persons who violate restricted privileges are subject to revocation of driving privileges for two years.

c. Removal of MAGTFTC, MCAGCC Decal. Immediately after notification of suspension or revocation of driving privileges of an individual who has a MCAGCC vehicle decal, the individual's commanding officer will ensure that the individual has reported to Building 1408 for the removal or modification of the decal. The violator's bona fide dependents, if any, may operate the vehicle with a special vehicle pass.

d. Authority of Deputy Staff Judge Advocate and Installation Law Officer. By this Order, the Commanding General delegates his authority to take administrative action in suspending driving privileges aboard MCAGCC, for confirmed illegal drug use, to the Deputy Staff Judge Advocate. The Installation Law Officer will be responsible for all notification letters, presiding over all suspension and revocation hearings in accordance with this Order, and ensuring that the affected individual's command and Provost Marshall are informed of any resulting action.

e. Responsibility of Commanding Officers. Commanding Officers shall, within three working days after receiving credible evidence of drug abuse, notify the Installation Law Officer (830-8384), of such drug abuse. (See enclosure 1). A copy of all reliable evidence will be provided to the Installation Law Officer.

4. Administration and Logistics. Distribution Statement A-1 directives issued by the Commanding General are distributed via e-mail. This Order can be viewed at <http://www.29palms.usmc.mil/dirs/manpower/adj/index.asp>.

5. Command and Signal

a. Signal. This Order is effective the date signed.

b. Command. This Order is applicable to the Marine Corps Total Force.


J. D. NICHOLS
Chief of Staff

DISTRIBUTION: A-1

Report of Drug Abuse in the Case of (Name, Rank, SSN)

5800
17/3

From: Commanding Officer
To: Commanding General. (Attn: SJA/ ILAW)

Subj: REPORT OF DRUG ABUSE IN THE CASE OF (Name, Rank, SSN)

Encl: (1) Describe Credible Information

1. Per the reference, credible evidence indicates that (Enter Individual's Name) has engaged in drug abuse. (Describe particulars of drug abuse).
2. Enclosures 1- (outline the credible information establishing this drug abuse).
3. Point of contact at this command is:

SIGN HERE
Commanding Officer

ENCLOSURE (1)

Notice of Suspension of Combat Center Driving Privileges for the
Wrongful Use of a Controlled Substance

5530
17/3

From: Commanding General
To: (Name, rank, SSN)

Subj: NOTICE OF SUSPENSION OF COMBAT CENTER DRIVING PRIVILEGES FOR THE
WRONGFUL USE OF A CONTROLLED SUBSTANCE

1. Effective immediately, per the reference, your driving privileges aboard MCAGCC, are suspended due to your drug abuse/possession as confirmed by _____. Effective immediately, you are no longer authorized to drive aboard this installation. This suspension will remain in effect pending final adjudication of your alleged drug use.
2. Under the terms of the suspension, you can no longer drive any motor vehicle onboard any part of MCAGCC. This suspension automatically terminates any vehicle registration you may have aboard this installation. If you have a vehicle registered, you are ordered, within three days of receipt of this letter, to report to the Provost Marshal's office, Building 1408. The Provost Marshal will ensure that any identifying devices authorizing you to drive aboard MCAGCC are removed.
3. You are advised that the failure to present yourself to the Provost Marshal as directed or driving while your privilege is suspended subjects you to further administrative or disciplinary action.
4. Your suspension will become permanent without further action or notification, effective for a period of one year from the date of this letter, unless you request a hearing on the matter before the Deputy Staff Judge Advocate, MCAGCC and that officer restores your driving privileges. You have three days upon receipt of this letter to request such a hearing and deliver your request to the Installation Law Office, Office of the Staff Judge Advocate, Building 1514. Failure to do so will be construed as a waiver. At that hearing, you may examine the evidence against you and present any evidence or other matters you desire to be considered.
5. You are hereby directed to complete the endorsement to this correspondence by _____ and advise me as to whether you desire a hearing in this matter.
6. If you do not desire a hearing regarding this matter, you may still appeal the decision to suspend your driving privileges, request reconsideration, or request restricted driving privileges. Such request must be in writing, forwarded through your chain of command and the Deputy Staff Judge Advocate, to the Commanding General, MCAGCC. Such appeal must be made within five working days from the date of this letter. In the absence of unusual circumstances, an appeal not submitted within five working days will be denied as not having been submitted within a reasonable time. The suspension will remain in effect pending a final ruling on the request.

P. S. RUBIN
By direction

ENCLOSURE (2)

First Endorsement on Notice of Suspension of Combat Center Driving
Privileges for the Wrongful Use of a Controlled Substance

FIRST ENDORSEMENT on CG ltr 1630 9B of

From: Individual Concerned
To: Commanding General

Subj: SUSPENSION OF COMBAT CENTER DRIVING PRIVILEGES FOR THE WRONGFUL USE OF
A CONTROLLED SUBSTANCE

1. Returned

2. I acknowledge receipt of this correspondence and understand the terms of the suspension. This suspension will remain in effect pending the final adjudication of my alleged drug use, unless I request a hearing before the Deputy Staff Judge Advocate, and that Officer restores my privileges. I do/do not desire a hearing.

INDIVIDUAL CONCERNED

ENCLOSURE (3)